

Mayor Ernie Wentreck  
Mayor Pro Tem Paul Madison

Councilmembers  
Russell Bradley  
Mark Conlee  
Ben Hardeman  
Joe Marin  
Boyd Sheffield

## **AGENDA**

**BRYAN CITY COUNCIL  
REGULAR MEETING  
TUESDAY, NOVEMBER 9, 2004 – 4:00 P.M.  
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

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- 1. CALL TO ORDER (Room 305)**
- 2. EXECUTIVE SESSION** - The City Council has determined a necessity to go into a closed to the public session under the provisions of Section 551, Texas Government Code, and the following topics may be discussed: under the authority of Section 551.071, consultation with attorney - seek advice of legal counsel regarding the performance of contractual obligations for the Traditions project and pending litigation related thereto; and under the authority of Section 551.072, real estate – discussion regarding possible purchase of property for city department building in central Bryan.
- 3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION, IF NECESSARY (COUNCIL CHAMBERS)**
- 4. INVOCATION (Approximately 5:00 p.m. – Pastor Jeff Hughes, Calvary Aggieldand Church) AND PLEDGE OF ALLEGIANCE**
- 5. HEAR CITIZENS**
- 6. REZONING REQUEST (RZ 04-13)**

**a. Public Hearing – [Rezoning Request \(RZ 04-13\)](#) – Beth Wilson**

Receive public comment regarding a request to amend Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of ‘MU-2’ Mixed Use to ‘R’ Retail for approximately 0.44 acres located at the southwest corner of the intersection of San Jacinto and Martin Luther King roads, in the Bryan’s Third Addition, Bryan, Brazos County, Texas.

**b. First Reading of an Ordinance – [Rezoning Request \(RZ 04-13\)](#) – Beth Wilson**

First reading of an ordinance amending Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of ‘MU-2’ Mixed Use to ‘R’ Retail for approximately 0.44 acres located at the southwest corner of the intersection of San

Jacinto and Martin Luther King roads, in the Bryan's Third Addition, Bryan, Brazos County, Texas.

**7. CONSENT (AUTOMATIC APPROVAL) AGENDA**

This agenda consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

- a. **Approval of [Minutes](#)** – Workshop and Regular Meetings of October 12, 2004, and Workshop and Regular Meetings of October 26, 2004.

- b. **Consideration – [Annual Software Maintenance Agreement](#) – Tony Gonzalez**

Consider approving the annual maintenance agreement for HTE applications in the amount of \$111,275 for the period of November 1, 2004, through October 31, 2005. Source of Funds: General Fund/Equipment Maintenance/Software License Agreements. ([Agreement](#))

- c. **Consideration – [Metro Crest Medical Services](#) – Mike Donoho**

Consider approving a three-year contract with Metro Crest Medical Services of Carrollton, Texas, in the amount of \$80,000 annually to provide the Bryan Fire Department with medical director services, associate medical director services and medical protocols as required and specified by the Texas Department of Health. This contract will allow the Bryan Fire Department to continue to provide ambulance services to the City of Bryan and Brazos County. Source of Funds: Bryan Fire Department Operating Budget. ([Contract](#))

- d. **Resolution – [Central Texas Library System Advisory Council](#) – Clara Mounce**

Adoption of a resolution authorizing the members of the Central Texas Library System Advisory Council to form a regional library system and apply to the Texas State Library and Archives Commission for a system operation grant.

- e. **Second and Final Reading of an Ordinance – [Reinvestment Zone Number Seventeen](#) – Mary Kaye Moore**

Second and final reading of an ordinance of the City of Bryan, Texas, amending Ordinance No. 1473, designating Reinvestment Zone Number Seventeen for commercial tax abatement under Chapter 312 of the Texas Property Tax Code, by amending the zone boundaries and increasing the size of the zone from 1.53 acres to 1.63 acres, said land lying and being situated in the John Austin Survey, Abstract No. 2, Bryan, Brazos County, Texas, and being part of the 197.404 acre tract described in the deed from Trans-Texas Interests, Inc., to Carrabba Interests, recorded in Volume 1510, Page 87, of the Official Records of Brazos County, Texas; establishing the duration of the zone; authorizing agreements not to exceed ten years duration to exempt from taxation a portion of the increase in value of property in order to encourage development and redevelopment.

- f. **Second and Final Reading of an Ordinance – [Partial Street Closing \(SC 04-04\)](#) – Beth Wilson**

Second and final reading of an ordinance of the City of Bryan, Texas, executing the closing of a 100-foot portion of the 50-foot wide Todd Street right-of-way, located between Lots 1 and 2, and the remainder of Lots 1R and 2R, Block 17 of the Mitchell-Cavitt-Lawrence Addition, and Lot 3,

Block 1, of the Mirza Subdivision, lying and being situated in Bryan, Brazos County, Texas; authorizing the Mayor to execute a quitclaim deed to the abutting property owner.

## **8. STATUTORY AGENDA**

This agenda consists of items previously approved by Council action, such as adoption of items that are part of an approved budget or capital improvements project, first readings of ordinances, or action which is required by law or delegated to the City Manager. Items may be removed from the statutory agenda at the request of two Councilmembers.

### **a. Consideration – Amended and Restated Agreement for Development and Tax Abatement in Reinvestment Zone Number Seventeen – Mary Kaye Moore**

Consider approving the amended and restated agreement between the City of Bryan and BRYDENPEAR Premiere, L.P., dba Premiere Cinema 16 for development and tax abatement in Reinvestment Zone Number Seventeen for commercial tax abatement, Bryan, Texas. This agreement is necessary because the boundaries of Reinvestment Zone Number Seventeen have been amended.

### **b. Resolution – Depository Agreement – Kathy Davidson**

Adoption of a resolution of the City Council designating Wells Fargo Bank N.A., as depository for the City of Bryan for the period of December 1, 2004, through September 30, 2007, and authorizing execution of a depository agreement.

### **c. First Reading of an Ordinance – Partial Street Closing (SC 04-05) – Lindsey Guindi**

First reading of an ordinance of the City of Bryan, Texas, executing the closing of a portion of the 50-foot wide Mockingbird Road right-of-way, located between Lots 1-3, Block 3 and Lots 11-13, Block 2 of the Gentry Griffin Addition, lying and being situated in Bryan, Brazos County, Texas; authorizing the Mayor to execute a quitclaim deed to the abutting property owner.

### **d. First Reading of an Ordinance – Partial Street Closing (SC 04-06) – Lindsey Guindi**

First reading of an ordinance of the City of Bryan, Texas, executing the closing of a portion of the 50-foot wide Gentry Lane right-of-way, located adjacent to Lot 1, Block 3 of the Gentry Griffin Addition, lying and being situated in Bryan, Brazos County, Texas; authorizing the Mayor to execute a quitclaim deed to the abutting property owner.

## **9. REGULAR AGENDA**

This portion of the agenda consists of items requiring individual consideration by the Council.

### **a. Consideration – Renaming of Bryan Regional Athletic Complex Soccer Fields – David Schmitz**

Consider approving a request from Mrs. Lorene Jones to name the Bryan Regional Athletic Complex Soccer Fields after her late husband, Mike Jones. Mr. Jones was instrumental in starting the Brazos Magic Soccer Club and the Aggeland Classic Soccer Tournament. His years of unselfish dedication to the youth of Bryan and the soccer community add credence to the request. The Jones Family is willing to cover all expenses associated with signage. ([Letter of Request](#))

**b. Discussion and Direction – Liens – Mary Kaye Moore**

Hear staff report regarding outstanding liens and provide direction to staff on lien disposition.

**10. COUNCIL COMMITTEE REPORTS**

City of Bryan/BISD Joint Committee – Councilmember Bradley

**11. CITY MANAGER’S REPORT AND COUNCIL CONCERNS**

Staff recognition, upcoming meetings and events, reports on attendance at meetings and events, future Council agenda items.

**12. ADJOURN**

FOR INFORMATION ON SIGN LANGUAGE INTERPRETATION, TDD OR OTHER TRANSLATION OR ACCESSIBILITY INFORMATION, PLEASE CONTACT THE PUBLIC INFORMATION OFFICER AT 209-5120. PLEASE TRY TO CONTACT THE ABOVE PERSON AT LEAST 48 HOURS BEFORE THE SCHEDULED TIME OF THE MEETING SO THAT YOUR REQUEST MAY BE ACCOMMODATED.